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		Application Number	10/630,100
		Filing Date	July 30, 2003
		First Named Inventor	Philip E. Eggers
		Art Unit	3762
		Examiner Name	
Total Number of Pages in This Submission	6	Attorney Docket Number	NET 2-098

ENCLOSURES (Check all that apply)

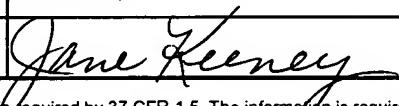
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
Forms 1449 and cited patents and publications		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Gerald L. Smith Mueller and Smith, LPA
Signature	
Date	January 15, 2004

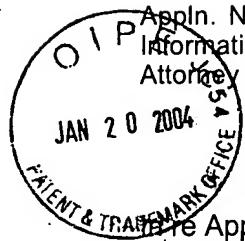
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No. 10/630,100
Information Disclosure Statement dated January 15, 2004
Attorney Docket No. NET 2-098

In The United States Patent and Trademark Office

Application of : Philip E. Eggers, *et al.*
Serial No. : 10/630,100
Filed: : July 30, 2003
For: : Electrosurgical accessing of tissue with controlled
collateral thermal phenomena.
;
TC/AU : 3762
Examiner :
Attorney Docket No. : NET 2-098

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INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is filed in conformity with 37 C.F.R. §§ 1.56, 1.97 and 1.98. Accordingly, copies of the art cited herein are provided:

Patents:

- 1 U.S. Patent No. 6,514,248 B1 by Eggers, *et al.*, entitled "Accurate Cutting About and Into Tissue Volumes with Electrosurgically Deployed Electrodes", issued February 4, 2003.
- 2 U.S. Patent No. 6,471,659 B2 by Eggers, *et al.*, entitled "Minimally Invasive Intact Recovery of Tissue," issued October 29, 2002.
- 3 U.S. Patent Application No. US 2002/0015691 by Levine, *et al.*, entitled "Cooled Electrosurgical Forceps," issued February 7, 2002.
- 4 U.S. Patent No. 6,296,637 B1 by Thorne, *et al.*, entitled "Electrosurgical Electrode and Methods for its Use," issued October 2, 2001
- 5 U.S. Patent Application No US 2001/0025179 A1 by Levine, entitled "Electrosurgery with Cooled Electrodes," published September 27, 2001.
- 6 U.S. Patent No. 6,277,083 B1 by Eggers, *et al.*, entitled "Minimally Invasive Intact Recovery Of Tissue," issued August 21, 2001.
- 7 U.S. Patent No. 6,074,389 by Levine, *et al.*, entitled "Electrosurgery with Cooled Electrodes," issued June 13, 2000.

- 8 U.S. Patent No. 5,730,742 by Wojciechowicz, entitled "Inclined, Flared, Thermally-Insulated, Anti-Clog Tip for Electrocautery Suction Tubes," issued March 24, 1998
- 9 U.S. Patent No. 5,647,871 by Levine, *et al.*, entitled "Electrosurgery with Cooled Electrodes," issued July 15, 1997.
- 10 U.S. Patent No. 5,520,685 by Wojciechowicz, entitled "Thermally-Insulated, Anti-Clog Tip for Electrocautery Suction Tubes," issued May 28, 1996.
- 11 U.S. Patent No. 5,425,731 by Daniel, *et al.*, entitled "Instrument for Cutting, Coagulating and Ablating Tissue," issued June 20, 1995.

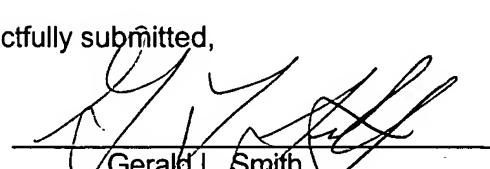
Publications:

- (1) Parker, Steve H, "The Advanced Breast Biopsy Instrumentation: Another Trojan Horse?" *Am. J. Radiology* 171: 51-53 (1998).
- (2) D'Angelo, Philip C., *et al.*, "Stereotactic Excisional Breast Biopsies Utilizing the Advanced Breast Biopsy Instrumentation System." *Am J Surg.* 174: 297-302 (1997).
- (3) Ferzli, George S., *et al.*, "Advanced Breast Biopsy Instrumentation: A Critique." *J Am Coll Surg.* 185: 145-151 (1997).
- (4) Rosen, Paul Peter, *Rosen's Breast Pathology*. Philadelphia: Lippincott-Raven Publishers, pp. 837-858 (1997).
- (5) Parker, Steve H, "Needle Selection." *Percutaneous Breast Biopsy* Eds. Parker, *et al.*, Raven Press, New York, pp 7-14 (1993).
- (6) Parker, Steve H, "Stereotactic Large-Core Breast Biopsy." *Percutaneous Breast Biopsy* Eds. Parker, *et al.*, Raven Press, New York, pp. 61-79 (1993).

It respectfully is submitted that none of the foregoing art, alone or in combination, shows or proposes the present invention. Accordingly, favorable action on the application respectfully is requested.

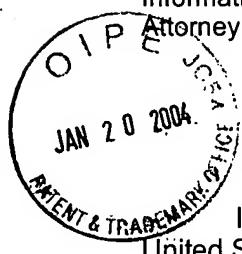
Respectfully submitted,

Date: 15 Jan 04



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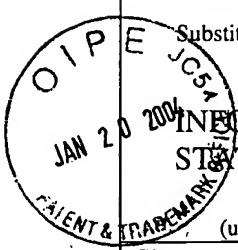


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Substitute for form 1449A/PTO				Complete if Known	
				Application Number	10/630,100
				Filing Date	July 30, 2003
				First Named Inventor	Philip E. Eggers, et al.
				Group Art Unit	3762
				Examiner Name	
(use as many sheets as necessary)					
Sheet	1	of	2	Attorney Docket Number	NET 2-098

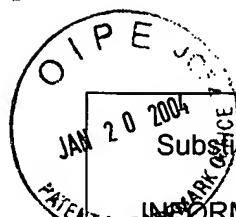
U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
Sheet	2	of	2	Application Number	10/630,100
				Filing Date	July 30, 2003
				First Named Inventor	Philip E. Eggers
				Group Art Unit	3762
				Examiner Name	
				Attorney Docket Number	NET 2-098

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
EXAMINER INITIALS *	CITE NO. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), Publisher, city and/or country where published		T ²
	1	PARKER, STEVE H. "The Advanced Breast Biopsy Instrumentation: Another Trojan Horse?" <i>Am. J. Radiology</i> 171: 61-53 (1998).		
	2	D'ANGELO, PHILIP C., et al. "Stereotactic Excisional Breast Biopsies Utilizing the Advanced Breast Biopsy Instrumentation System" <i>Am J Surg.</i> 174: 297-302 (1997).		
	3	FERZLI, GEORGE S., et al. "Advanced Breast Biopsy Instrumentation: A Critique", <i>J Am Coll Surg.</i> 185: 145-151 (1997).		
	4	ROSEN, PAUL PETER, <i>Rosen's Breast Pathology</i> , Philadelphia: Lippincott-Raven Publishers, pp. 837-858 (1997).		
	5	PARKER, STEVE H., "Needle,) <i>Percutaneous Breast Biopsy</i> Eds. Parker, et al, Raven Press, new York, pp 7-14 (1993		
	6	PARKER, STEVE H. "Stereotactic Large-Core Breast Biopsy," <i>Percutaneous Breast Biopsy</i> Eds. Parker, et al, Raven Press, new York, pp. 61-79 (1993.		

Examiner Signature		Date Considered	
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